

**City Council Minutes**  
**Tuesday, October 11, 2022**

On the 11<sup>th</sup> day of October 2022, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in a regular meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Henry Wilson	)	Mayor
Cindy Shepard	)	Mayor Pro Tem
John Miller	)	Councilmembers
Jon McKenzie	)	
Cathy Brotherton	)	
Gary N. Waldron	)	
David Booe	)	
Clay Caruthers	)	City Manager
Matthew Boyle	)	City Attorney
Clayton Fulton	)	Assistant City Manager
Malaika Marion Farmer	)	Assistant City Manager
Rita Frick	)	City Secretary
Michelle Lazo	)	Executive Director of Planning

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m. and the Pledge of Allegiance was given.

Councilmember Brotherton gave the Invocation.

**CONSENT AGENDA**

1. Consider approval of the minutes for the September 27, 2022, City Council meetings
2. Consider Ordinance 2521, second reading, SP-2022-00010 Salad and Go, a Site Plan Revision for a portion of Lot 2R, Block 1 Lowe's Addition, being 0.427 acre located at 770 Grapevine Highway
3. Consider authorizing the city manager to enter into an annual Agreement with Ballard Tree Service for citywide tree and shrub maintenance with the option to renew for four additional twelve-month periods
4. Consider authorizing the city manager to enter into an annual Agreement with YTL, Inc. for citywide landscape chemical services with the option to renew for four additional twelve-month periods

Mayor Pro Tem Shepard moved to approve the consent agenda. Motion seconded by Councilmember Waldron. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard  
No: None

**PUBLIC HEARING(S) AND RELATED ITEM(S)**

5. Conduct a public hearing and consider Ordinance 2522, first reading, Z-2022-00003 Scooter's Coffee a zoning change from GB to GB-PD with a site plan for Lot B, Block 1 Norwood North Addition, being 5.38 acres located at 700 Grapevine Highway

Mayor Wilson announced the public hearing to consider Ordinance 2522, first reading, Z-2022-00003 Scooter's Coffee, a zoning change from GB to GB-PD with a site plan for Lot B, Block 1, Norwood North Addition, being 5.38 acres located at 700 Grapevine Highway and recognized Executive Director of Planning and Community Development Michelle Lazo who reviewed the proposed case. Ms. Lazo noted the site is part of the Mayfair Village and the applicant is requesting 664 square feet for Scooter's Coffee for walk-up and drive-thru only next to Bacon's restaurant. She stated there will be no change to the ingress and egress and reviewed the queuing for drive-thru as proposed and if Highway 26 is expanded in the future. Also reviewed was landscaping, elevations and signage noting the Planning and Zoning Commission recommended approval with the stipulation the sign be lowered to six (6) feet in height.

Mayor Wilson recognized applicant Colli Bethelmy, Forney, Texas, who stated they were happy to answer questions.

There being no one else to speak, Mayor Wilson closed the public hearing.

In response to Councilmember questions, Mr. Bethelmy stated the queuing allows approximately 14 cars and is basically two lanes until the speaker box. He stated the wait is a total of 30 seconds at the window, so you should be out of line in approximately 3 minutes, depending on the number of cars. He stated the drive-thru should not impact Bacon's customers and they currently have 13 existing locations in the DFW area with plans to open another 10 to 11 locations.

Councilmember McKenzie moved to approve Ordinance 2522, first reading, a site plan for Scooter's Coffee, with a stipulation that the monument sign be lowered to 6 feet. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard

No: None

**PLAT(S)**

6. Consider P-2022-00007 Stowe Addition a replat of Lot 2A to Lot 21R and 22R, Block 2 Walker Oaks Addition to Lot 22R-1 Stowe Addition, being 1.91 acres located at 329 and 333 Melbourne Road

Mayor Wilson recognized Executive Director of Planning and Development Michelle Lazo who reviewed the proposed plat noting the applicant is present to answer any questions and the request is a simple replat to combine lots. She stated they plan to build a detached garage in the future.

Councilmember McKenzie moved to approve P-2022-00007, a replat for Lot 22R-1 Block 2 Stowe Addition. Motion seconded by Councilmember Brotherton. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard

No: None

### **ORDINANCE(S)**

7. Consider Ordinance 2523, first reading, amending the City of Hurst Code of Ordinances Chapter 24 "Traffic" by amending and replacing Section 24-116 regarding street parking of commercial vehicles and by adding 24-131 regarding penalty

City Manager Clay Caruthers stated the proposed ordinance addresses trucks parking and impacting events at the conference center. He stated the existing ordinance prohibits parking overnight, but the proposed ordinance will enhance regulations and eliminate problematic parking. Ms. Lazo reviewed the conference center area impacted by the ordinance also noting the proposed ordinance will allow signage and towing, if necessary.

Councilmember Miller moved to approve Ordinance 2523, first reading, amending Chapter 24-116 and 24-131 regarding the parking of commercial vehicles. Motion seconded by Councilmember Waldron. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard

No: None

### **RESOLUTION(S)**

8. Consider Resolution 1823 denying Oncor Electric Delivery Company LLC's Application to Increase System-Wide Transmission and Distribution Rates

Assistant City Manager Clayton Fulton stated the proposed resolution denies the proposed rate change application by Oncor and noted the rate was previously suspended to negotiate a more reasonable increase. He noted the City's participation in the Steering Committee of cities serviced by Oncor and the committee's belief the proposal is not an agreeable solution. He stated Oncor's request will now go to the Public Utility Commission.

Councilmember Booe moved to approve Resolution 1823 denying Oncor Electric Delivery Company LLC's Application to increase system-wide transmission and distribution rates. Motion seconded by Councilmember Brotherton. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard

No: None

**OTHER BUSINESS**

9. Consider authorizing the purchase of information technology hardware, software and services

Mayor Wilson recognized Assistant City Manager Clayton Fulton who stated this item authorizes the purchase of IT equipment and is consistent with the adopted budget. He noted specific projects of Network/Cloud Security, Annual Desktop, Laptop and MDC refresh and Dual Form Factor Security.

Councilmember Miller moved to authorize the purchase of information technology hardware, software and services pertaining to the listed projects, through approved purchasing contracts, in an amount not to exceed \$405,080. Motion seconded by Councilmember Shepard. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard

No: None

10. Consider authorizing the city manager to enter into an amended Management Services Agreement with the Humane Society of North Texas

City Manager Clay Caruthers reviewed the proposed amended Management Services Agreement with the Humane Society of North Texas noting the agreement was entered into for the new animal services center in partnership with City staff. He noted the agreement has provided for increased volunteerism, dog training, and adoptions. He stated staff performed an initial analysis of the original agreement and agreed to \$5,000 per month, with the understanding the contract will be reevaluated. He stated the Humane Society did staff heavier than originally anticipated and with the current wage inflation pressures, staff believes \$10,000 per month is well justified. He introduced Humane Society of North Texas President Susan Gulig who reiterated the success of the partnership with an increased number of animals saved and transferred in over the past year.

Councilmember Brotherton moved to authorize the city manager to enter into an amended Management Services Agreement, with the Humane Society of North Texas, to establish a fixed management fee of \$10,000 per month with an effective date of October 1, 2022. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Miller, McKenzie, Brotherton, Waldron and Shepard

No: None

11. Review of upcoming calendar items – City Manager Clay Caruthers reviewed the future event calendar.
12. City Council Reports - Items of Community Interest

Mayor Wilson noted he recently attended the Annual Texas Municipal League Conference, and enjoyed the interesting general session speakers. Councilmember Miller advised of the success of the Fireman's Steak Dinner and Councilmember Brotherton noted the upcoming Senior Craft and Holiday market this coming Friday.

**PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED. CITIZEN COMMENTS ARE LIMITED TO A MAXIMUM OF 3 MINUTES PER SPEAKER.** No one spoke

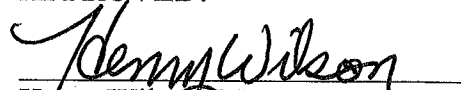
**ADJOURNMENT** – The meeting adjourned at 7:01 p.m.

**APPROVED** this the 25<sup>th</sup> day of October 2022.

**ATTEST:**

  
Rita Frick, City Secretary

**APPROVED:**

  
Henry Wilson, Mayor